

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

UNITED STATES OF AMERICA	§	
Plaintiff,	§	
	§	
v.	§	Civil No. 1:19-cv-00251
	§	
\$377,000.00 IN UNITED STATES	§	
CURRENCY,	§	
Defendant.	§	

**VERIFIED COMPLAINT FOR FORFEITURE IN REM**

In accordance with Fed. R. Civ. P. Supplemental Rule G(2), the United States of America, Plaintiff, brings this complaint and alleges as follows:

Nature of the Action

1. This is an action to forfeit property to the United States pursuant to 21 U.S.C. § 881(a)(6) and 18 U.S.C. § 981(a)(1)(C).

Defendant In Rem

2. The defendant property is \$377,000.00 in United States Currency (Defendant Property). Agents with Homeland Security Investigations - Department of Homeland Security seized the Defendant Property on February 19, 2019. The Defendant Property is currently in the custody of the U.S. Customs and Border Protection.

Jurisdiction and Venue

3. The Court has subject matter jurisdiction over an action commenced by the United States pursuant to 28 U.S.C. § 1345, and over an action for forfeiture pursuant to

28 U.S.C. § 1355(a).

4. The Court has in rem jurisdiction over the Defendant Property pursuant to 28 U.S.C. § 1355(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in this district.

5. Venue is proper in this district pursuant to 28 U.S.C. §1355(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in this district.

#### Basis for Forfeiture

6. The Defendant Property is subject to forfeiture pursuant to:
- a. 21 U.S.C. § 881(a)(6) because it constitutes (i) money, negotiable instruments, securities and other things of value furnished and intended to be furnished in exchange for a controlled substance in violation of the Controlled Substances Act; (ii) proceeds traceable to such an exchange; or (iii) money, negotiable instruments, and securities used and intended to be used to facilitate a violation of the Controlled Substances Act, and
  - b. 18 U.S.C. § 981(a)(1)(C) because it is property, real or personal, constituting or derived from proceeds traceable to a violation of any offense constituting “specified unlawful activity” or a conspiracy to commit such offense.

#### Facts

7. On 2/19/2019 HSI SAC Dallas TFOs D. Cortes, M. Spears, C. Halfmann, P. Harris, and DFW Detective B. Becker were notified by Las Vegas Metro Police that TSA had issued a Bulk Cash Notification that Mr. Daurence BROOKS had been discovered to be traveling with approximately \$380K dollars he had claimed to be casino

winnings. TFO Spears encountered BROOKS on the A33 jet bridge with Marjai COOKS as they were running upon exiting the plane. TFO Spears initiated a consensual encounter. COOKS continued up the jet bridge and a consensual contact with her was initiated by TFO Halfmann. BROOKS appeared nervous and was visibly sweating. BROOKS said he had been in Las Vegas and won money on sport bets. BROOKS said he was carrying about \$200K. BROOKS consented to search. TFO Spears located stacks of money concealed in the backpack. BROOKS said that he was a homebuilder and the he had been building homes for about 1 year. BROOKS stated that he and his wife also own a Reality company in Beaumont. BROOKS said that his company is called, "Brooks Home Reality". BROOKS said that he currently had approximately 10 to 15 homes under management with the reality company. BROOKS said that the "Brooks Home Reality" has been around for about a year and a half. BROOKS said that he buys, sells, rents and builds homes. TFO Spears attempted to locate the business on social media and could not find a business with that name in the Beaumont area. TFO Spears asked BROOKS if his reality company was run out of a P.O. Box, virtual office or from his residence. BROOKS said that the "Brooks Home Reality" company has an actual store front in a building with a sign. BROOKS said that he and his wife also own two daycare businesses in the Beaumont area. TFO Spears asked BROOKS if he and his wife filed their federal income taxes together or separately. BROOKS advised that he believed that they file jointly. TFO Spears asked BROOKS how much he had claimed on his 2018 Federal Income Taxes. BROOKS hesitated a few seconds and then said that he did not know and that his wife Mira BROOKS had handled that. TFO Spears then asked

BROOKS for a simple estimate of the amount claimed for tax years 2016, 2017 or 2018. BROOKS again said that he has no idea of what he had made or claimed for those years. BROOKS has a criminal history for burglary, drugs, federal probation, and a past parole (Texas). BROOKS was unable to produce a source for the currency prior to Vegas or remember his IRS income tax reported income for the last few years. BROOKS believed he filed jointly, with his wife, on his IRS income tax returns and said his wife would have to be contacted to answer those questions. BROOKS did not have any tax documents for his alleged winnings in Vegas.

Due to the facts and circumstances collected at the scene, BROOKS criminal history, inconsistent statements from BROOKS and COOKS, and an inability to legitimize the currency TFO Spears advised BROOKS the currency was going to be seized based on suspicion he believed the funds were derived from illegal activity and or money laundering, violations of 18 USC 981(a)(1), 18 USC 1956(c)(7), 18 USC 1952, and 18 USC 1961(1).

#### Potential Claimants

8. The only known potential claimants to the Defendant Property are:
  - a. Daurence Everett Brooks, represented by:  
Geoffrey G. Nathan  
Attorney at Law  
132 Boylston Street 5<sup>th</sup> FL.  
Boston, MA 02116
  - b. Mira Brooks  
739 Avenue D  
Port Neches, Texas 77651

c. Marjai Cooks  
739 Avenue D  
Port Neches, Texas 77651

Claim for Relief

9. The United States respectfully requests that the Court forfeit the Defendant Property to the United States, award costs and disbursements in this action to the United States, and order any other relief that the Court deems appropriate.

Respectfully submitted,

JOSEPH D. BROWN  
UNITED STATES ATTORNEY

/s/


MICHAEL W. LOCKHART  
Assistant United States Attorney  
Eastern District of Texas  
Texas Bar No. 12472200  
350 Magnolia Avenue, Suite 150  
Beaumont, Texas 77701-2237  
(409) 839-2538  
(409) 839-2643 (fax)  
michael.lockhart@usdoj.gov

**VERIFICATION PURSUANT TO 28 U.S.C. § 1746**

I, Hugo Torres, hereby state that:

1. I am a Special Agent with Homeland Security Investigations.
2. I have read this Complaint, and the information contained herein is true and correct to the best of my knowledge.
3. The information contained in this Complaint comes from the official files and records of the United States, statements from other law enforcement officers, and my investigation of this case.

I state and verify under penalty of perjury that the foregoing is true and correct.

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Hugo Torres  
Special Agent  
Homeland Security Investigations

Dated: June 11, 2019.

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FOR THE EASTERN DISTRICT OF TEXAS  
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UNITED STATES OF AMERICA	§	
Plaintiff,	§	
	§	
v.	§	No. 1:19-cv-00251
	§	
\$377,000.00 IN UNITED STATES	§	
CURRENCY,	§	
Defendant.	§	

**ORDER FOR WARRANT OF ARREST IN REM**

TO: The Clerk of the Court, United States District Court for the Eastern District of Texas

WHEREAS, on June 11, 2019, the United States of America filed a verified complaint for civil forfeiture in the United States District Court for the Eastern District of Texas against the defendant property, alleging that the property is subject to seizure and civil forfeiture to the United States for the reasons alleged in the complaint; and

WHEREAS, the Court, having reviewed the Complaint and the Government's Application for Warrant of Arrest in Rem, finds, the defendant property is currently in the possession, custody, or control of the United States; and

WHEREAS, Supplemental Rule G(3)(b)(i) provides that the clerk must issue a warrant to arrest the property if it is in the government's possession, custody, or control;

YOU ARE, THEREFORE, HEREBY COMMANDED to issue an arrest warrant in rem for the defendant property pursuant to Supplemental Rule G(3)(b)(i); and

YOU ARE FURTHER COMMANDED to deliver the arrest warrant in rem to a

person or organization authorized to execute it who may be a marshal or any other United States officer or employee, someone under contract with the United States, or someone specially appointed by the Court for that purpose, pursuant to Supplemental Rule G(3)(c)(i).

IT IS SO ORDERED,



IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

UNITED STATES OF AMERICA	§	
Plaintiff,	§	
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	§	
\$377,000.00 IN UNITED STATES	§	
CURRENCY	§	
Defendant.	§	

**WARRANT OF ARREST IN REM**

TO: The U. S. Customs and Border Protection for the Eastern District of Texas and/or any other United States officer or employee, someone under contract with the United States, or someone specially appointed by the court.

On June 11, 2019, the United States filed a verified complaint for civil forfeiture in the United States District Court for the Eastern District of Texas against \$377,000.00 in United States currency (defendant property) alleging that the property is subject to seizure and forfeiture to the United States for the reasons alleged in the complaint.

The defendant property is currently in the possession, custody, or control of the United States.

In these circumstances, Supplemental Rule G(3)(b)(i) directs the Clerk of the Court to issue an arrest warrant in rem for the defendant property.

Supplemental Rule G(3)(c)(i) provides that the warrant of arrest in rem must be delivered to a person or organization authorized to execute it who may be a marshal or any other United States officer or employee, someone under contract with the United States, or someone specially appointed by the court for that purpose.

YOU ARE COMMANDED to do the following:

1. To arrest the defendant property as soon as practicable [see Rule G(3)(c)(ii) for exceptions for serving as soon as practicable] by serving a copy of this warrant on the custodian in whose possession, custody or control the property is presently found, and to use whatever means may be appropriate to protect and maintain it in your custody until further order of this Court.
2. Promptly after execution of this process, to file the same in this Court with your return thereon, identifying the individual(s) upon whom copies were served and the manner employed.

Dated:

DAVID O'TOOLE  
Clerk of the Court  
United States District Court for the  
Eastern District of Texas

By: \_\_\_\_\_  
Deputy Clerk

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**

United States of America

(b) County of Residence of First Listed Plaintiff \_\_\_\_\_  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Michael W. Lockhart, USAO, 350 Magnolia Ave, Suite 150  
Beaumont, Texas 77701 (409) 839-2538

**DEFENDANTS**

\$377,000.00 in U.S. currency

County of Residence of First Listed Defendant Jefferson  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE  
LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION**

(Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff  
☐ 2 U.S. Government Defendant  
☐ 3 Federal Question (U.S. Government Not a Party)  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated <i>or</i> Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated <i>and</i> Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

**IV. NATURE OF SUIT**

(Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input checked="" type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	

**V. ORIGIN**

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding  
☐ 2 Removed from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Reopened  
☐ 5 Transferred from another district (specify) \_\_\_\_\_  
☐ 6 Multidistrict Litigation  
☐ 7 Appeal to District Judge from Magistrate Judgment

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

This is an in rem civil forfeiture proceeding pursuant to 18 USC 981

Brief description of cause:

**VII. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE \_\_\_\_\_

DOCKET NUMBER \_\_\_\_\_

DATE 06/11/2019 SIGNATURE OF ATTORNEY OF RECORD

/s/ Michael W. Lockhart

**FOR OFFICE USE ONLY**

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_